

**EXPERT REBUTTAL REPORT OF
BAROUCH YADID**

Prepared for:

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Table of Contents

	<u>Page</u>
I. Statement of Qualifications.....	1
II. Engagement.....	4
III. Discussion and Analysis	8
A. There Is No Unified System of Civil Institutions in the Palestinian Territories Known as "Da'wa"	10
B. Hamas Does Not Operate or Control a Civil Wing of Palestinian Civil Institutions	12
C. Palestinian Civil Entities Were Not a Hamas “Terror Support Apparatus”, a “Cover for Hamas Terror” or a “Reservoir of New Recruits for Carrying Out Terrorist Attacks Against Israel.”.....	14
D. Responses to Specific Conclusions of Mr. Spitzen.....	16
E. Arab Bank.....	17
IV. Conclusions	18

Exhibits

Curricula Vitae	A
Compensation	B
Listing of Documents Reviewed	C
Publications (Prior Ten Years)	D
Other Expert Testimony (Prior Four Years)	E

I. Statement of Personal Background and Qualifications

1. I joined the Israel Defense Force (“IDF”) in 1982 and, except for one brief gap of time, served in the IDF for 23 years, ending my service in 2007 at the rank of Lieutenant Colonel.

2. Between 1982 and 1987, I served as a combat soldier and officer in the Golani Brigade, which is one of the IDF’s leading infantry brigades. During this time, I served as a combat soldier and as a commander.

3. I was discharged from the IDF in 1987, and for two years, I was a correspondent for matters concerning the Palestinian Territories in the Israeli news agency ITIM. During this time, I covered the beginning of the first Intifada and other events in the Palestinian Territories. My focus was mainly on the civil disobedience and the emergence of Hamas as a movement in the Palestinian arena. I also covered political developments in East Jerusalem. Based on my experience from this employment, I was offered a return to service as an Adviser on Arab Affairs in the Judea and Samaria Civil Administration (the “Civil Administration”), which serves under the Coordinator of Government Activities in the Territories (the “COGAT”), which is itself a wing of the Israeli Ministry of Defense.

4. I should note that the role of Adviser on Arab Affairs is a position defined as Information Officer. This position, however, deals with economic and social civil issues and is based only on open source information, which differentiates it from the intelligence agencies of the Israeli intelligence community. The adviser gathers information from open sources, monitors governmental trends, atmosphere and developments of the Palestinian arena, maps the elements of power, and recommends

options for the Israeli defense system regarding various civilian issues. It should also be noted that as an Adviser on Arab Affairs, I am able to attest that the Civil Administration did not research terrorism or conduct operations to thwart terror.

5. In 1989, I joined the Civil Administration and was stationed in Hebron as an Adviser on Arab Affairs. In this role, which I filled for over four years, I dealt with Palestinian centers of power in Hebron and with the political and social developments in the Palestinian population there.

6. In 1991, in my role as an Adviser on Arab Affairs in Hebron, I personally devised the first action plan (command) under the guidance of the Head of the Civil Administration and COGAT, which action plan later evolved into an ongoing operation for researching the Islamic civil institutions in the Palestinian Territories.

7. In 1993, I was sent by the IDF and the Civil Administration for academic studies in the Bar Ilan University, and completed my B.A. in Middle Eastern studies and history.

8. In 1995, I returned to the Civil Administration as an Adviser on Arab Affairs and Information Officer in the Nablus district, and I followed closely the process of the establishment of the Palestinian Authority. In this role as well, I focused on research into Palestinian civil institutions, and led dozens of operations to locate information and research mainly the Islamic institutions.

9. In 1998, I graduated from the Command and Staff College with honors and I was certified as Head of the District Coordination and Liaison Headquarters with the Palestinians in Nablus. In this position, I initiated and participated in international projects for the benefit of the Palestinian Authority as part of the political agreement

between Israel and the Palestinian Authority. In addition, I continued with the research of the various organizational and political power centers in the region, including those of Hamas, Fatah and the Palestinian Authority, and I monitored the trends and atmosphere in the Palestinian Territories.

10. In December 2001, I was appointed Head of the Branch of the Adviser for Palestinian Affairs in Judea and Samaria. As part of this job, I participated in intelligence forums conducted by the IDF, and in discussions held in cooperation with the Israeli intelligence community.

11. Between 2002 and 2004, I was a lead member of a select team, composed of all intelligence bodies, whose role was to locate terror factors within the civil institutions we had researched and mapped. I was the only representative of the Civil Administration and the Coordinator of Government Activities in the Territories on this team, and once I concluded my role and completed the research, this team was dispersed. I reported the findings of this team only to very few senior military officers, and therefore Mr. Spitzen was not among them.¹

12. During the time period 2002-2003, I supervised a research project that involved researching and mapping commercial and economic institutions and factors, as

¹ For many years, Mr. Spitzen filled several positions in the Division of Adviser of Palestinian Affairs in Judea and Samaria, but not as my commander or professional instructor. In 2001, when I was appointed head of the branch in Judea and Samaria, Mr. Spitzen was head of the division at the Coordinator of Government Activities in the Territories. As such, he was my professional instructor – while determining the tasks which were of interest to the Coordinator of Government Activities in the Territories. However, my commander was the head of the Civil Administration, whose authority was greater than that of Mr. Spitzen. I should note that, although being under the authority of both the Division Commander and the Commander of the Central Command, I generally maintained a high level of independence in this role. When I was appointed Head of Branch at the Coordinator of Government Activities in the Territories, I became Mr. Spitzen's deputy.

well as business leaders in the Palestinian Territories, including banks that operated in the region and their management.

13. In 2004, I served for a year in a project in the Southern Command, dealing with the Disengagement Plan from Gaza Strip and its implications.

14. In 2005, I was appointed Head of the Branch of Adviser on Palestinian Affairs in the headquarters of the Coordinator of Government Activities in the Territories. In this role, I supervised, approved and directed all the research on Palestinian civil affairs and directed the activities of the Palestinian Affairs advisory array. I was a member of various forums and maintained working relations with members of the Israeli intelligence community. In this role, I served as a deputy to Mr. Arie Dan Spitz.

15. In 2007, I retired from the IDF and turned to private businesses.

II. Engagement

16. I have been asked to review the expert reports of Mr. Matthew Levitt and Mr. Arie Dan Spitz, and, based on my own experience and expertise as to Palestinian civil institutions, to respond to conclusions reached by them with respect to (i) whether one clear, defined “da’wa” system operated by Hamas exists, and (ii) whether Hamas uses a system of civil institutions to recruit terrorists and finance Hamas’ terrorist activities.

17. As previously noted, while with the Civil Administration, I studied numerous Palestinian civil institutions, but not for the purposes of thwarting terror. We were not asked to, nor were we able to, examine the connection of any civil institution with, or determine its involvement with the terrorist activities of Hamas. That was the exclusive responsibility of the Israel Security Agency (“ISA”), to whom we in the Civil

Administration forwarded our information. The ISA, however, did not share its information with us because we were not an intelligence authority. Therefore, since I do not have the information or experience to connect institutions or individuals to terrorism, I have no comment on the specific contentions asserted by Mr. Levitt or Mr. Spitzzen regarding the alleged connections between specific institutions or individuals and terrorism activities of Hamas.

18. To my understanding and professional knowledge, and based on our joint military service, Mr. Spitzzen also lacks the training and professional expertise, nor did he ever possess such, to generally determine whether any Palestinian civil institutions were controlled or used by Hamas and involved terror activities in particular.

19. Indeed, to my knowledge and understanding, the determination that any particular Palestinian institution or individual is involved with terrorism is one that requires a classic intelligence research operation – researching, collecting and assessing information that meet the demanding standards of intelligence, which is performed over time by trained intelligence officers. The Israeli intelligence community possesses the tools and resources for such operations, which the Coordinator of Government Activities in the Territories and/or the Division of Adviser for Palestinian Affairs does not. For this reason, we forwarded all the open information and material we gathered to intelligence bodies, for them to use as they saw fit. According to this open information, no connections between civil institutions and terror activities were found. Therefore the Civil Administration and COGAT did not recommend measures against any civil institution mentioned in the research. Civil institutions that were closed by the ISA were

not closed based on the open information we supplied to the ISA, but, to my knowledge, based on confidential investigations conducted by the ISA.

20. Thus, the focus of my review and responses are the general conclusions reached by Mr. Levitt and Mr. Spitzen, namely:

A. That there exists in the Palestinian Territories a unified, civil infrastructure, which is controlled and operated by Hamas, known as “da’wa”.

- “[T]he da’wa infrastructure . . . became the backbone of Hamas’s physical infrastructure and political power base.” [Levitt Report at p. 20]
- “da’wa . . . in the sense of the ‘civilian infrastructure of Hamas’” [Spitzen Report at p. 18 n. 39]
- “da’wa infrastructure of Hamas” [Spitzen Report at p. 20]

B. That this Hamas-controlled “da’wa” has as its purpose and effect to recruit terrorists and financially support Hamas’s terrorist acts.

- “Hamas utilizes the da’wa to recruit and mobilize Palestinians to its cause, which includes the commission of terrorist acts.” [Levitt Report at p. 20]
- “Hamas’s charities and social service organizations – which facilitate Hamas attacks – form the backbone of Hamas’s operational capacity. In other words, without its da’wa, Hamas would not have the capacity to commit terrorist attacks on the scale that it has done to date.” [Levitt Report at p. 21]
- “Inside the Palestinian territories, the battery of mosques, schools, orphanages, medical clinics, sports leagues, and summer camps are integral components of an overarching apparatus Hamas created and manipulated to incite, recruit, and provide logistical support for weapons smuggling, reconnaissance, and suicide bombings.” [Levitt Report at p. 32]
- “Not only does Hamas’s da’wa network allow it to capture broad popular support in the Palestinian Territories, but research also indicates that it has the effect of making Hamas attacks more deadly. There appears to be a robust relationship between Hamas’s decision to provide comprehensive social services, and it

co-comitant lethality as an organization when compared to other terrorist organizations lacking anything comparable to Hamas's da'wa network." [Levitt Report at p. 30]

- *"The da'wa system to which the Hamas Charter assigns great importance serves, in effect, as a cover for Hamas terror."* [Spitzen Report at p. 33]
- *"These (civil) institutions served as a supportive framework for Hamas's terror activities, including the use of suicide terrorists, in three main areas:*
 - a. The da'wa's educational institutions contributed to the indoctrination of young Palestinians into what became a 'culture of martyrdom for Allah'. . . . The da'wa framework's contribution to education toward mass murder was of significant importance both in the creation of the social environment that supported Hamas's violent goals, and in expanding the reservoir of recruits for carrying out terrorist attacks against Israel.*
 - b. The da'wa framework served as tool for the transfer of money to orphans, widows and other relatives of suicide terrorists and movement prisoners, and thus provided a unique safety net for potential recruits*
 - c. The da'wa infrastructure provided a reservoir of new recruits for suicide attacks and for Hamas's terror and murder apparatus."* [Spitzen Report at pp. 24-26]
- *"The da'wa institutions are responsible for disseminating Hamas's ideology, including its support for violence and for Jihad against the Jews, and to expand the circle of potential recruits both for Hamas's political apparatus and for the al-Qassam Brigade. In fact, these institutions constitute a civilian framework for Hamas's terror apparatus."* [Spitzen Report at p. 31] (emphasis added)

21. The conclusions of Mr. Levitt and Mr. Spitzen are contrary to those of COGAT or other researchers in the Israeli security system, and based on my experience and to the extent of my knowledge, their conclusions are incorrect and unsupportable. There is and has been in the Palestinian Territories no unified, hierarchical infrastructure of civil institutions as described by Mr. Levitt and Mr. Spitzen. Moreover, throughout

the years of research conducted by me and the Division of Adviser for Palestinian Affairs, we found no evidence that any of the Palestinian institutions, including those run by individuals sympathetic to Hamas, were recruiting terrorists, funding terrorism or involved in terror activities. Beyond this, we had neither the authority nor information sources to make determinations that any institution, or the individuals associated with any institution, were involved with the terrorist activities of Hamas, which makes Mr. Spitzen's conclusions in that regard particularly surprising. Indeed, based on my personal familiarity with the work of the Civil Administration generally, as well as my professional experience, including that which I share with Mr. Spitzen, I also respond herein to Mr. Spitzen's asserted expertise and methodology for reaching some of the conclusions he does, in particular with respect to the subject of terrorism.

III. Discussion and Analysis

22. To establish context for the discussion that follows, I will elaborate briefly on the research on Palestinian civil institutions performed and supervised by myself as part of my service in the Civil Administration.

23. During the first years of our work in the Civil Administration, 1990-95, the research was intended to examine and characterize the civil institutions that operated in the Palestinian Territories, as well as to research Hamas as a popular power movement that was then taking its early steps. The objective of the various studies of the Coordinator of Government Activities in the Territories was defined as a "Governmental Objective," meaning spotting social developments on the Palestinian street. Therefore, we studied the Palestinian health system, education system, legal system and economic system. We studied the poverty, the schools, the textbooks, the media and the

atmosphere in the Palestinian street, but not the circles of terror and military abilities. We studied these subjects in order to identify civil developments that might force Israel to intervene in the day-to-day life of the Palestinian population, or in order to locate trends and incitements, which were within the responsibility of the Palestinian Authority according to the political negotiations.

24. The objective of this research concerning civil institutions was never defined as terror thwarting. The Coordinator of Government Activities in the Territories, including the Division of Adviser for Palestinian Affairs, is not an organization for terror thwarting, nor is it an intelligence agency. Indeed, to my knowledge, none of the intelligence agencies in Israel found any value in studies conducted by the Coordinator of Government Activities in the Territories as a tool for thwarting terror. Also, the select team which I mentioned above, found no connection between any civil institution and any terror activities, after analyzing the open information I supplied.

25. Between 1995 and 1999, this research into civil institutions stopped, due to a decision to invest COGAT's resources in civil coordination with the new Palestinian Authority. In my opinion, had our research had any value for thwarting terror, it would not have been stopped.

26. Toward the end of the 1990's – after 4 years of remission– the project to study Palestinian civil institutions resumed to update the old information, as well as to examine the political strength of Hamas as a threat to the Palestinian Authority. This time too, the operation was not defined as an operation of thwarting terror and did not consist of any analysis of involvement of civil institutions with terrorism.

A. There Is No Unified System of Civil Institutions in the Palestinian Territories Known as “Da’wa”.

27. Mr. Levitt and Mr. Spitzzen are incorrect to claim one clear and defined hierarchy of Palestinian civil institutions under Hamas control called "da'wa".

28. In Arabic, “da’wa” is a broad term generally referring to a summoning, invitation, or call for a return to religion, but is not a reference to a specific organization or network.

29. The term “da’wa” was also invoked in the name “Majad”, meaning “glory” but also taken from the initials of “Majmuat Al Jihad Wa Al Dawa.” As part of the name Majad, a first secret military organization and a predecessor to Hamas’ military wing, da’wa referred to recruitment and political awareness, and not to a system of civil institutions designated to aid those in need.

30. Yet Mr. Levitt’s and Mr. Spitzzen’s conclusion that “da’wa” is a term that may be applied to Palestinian civil entities that Hamas supposedly uses to recruit terrorists and further its terrorist activities, is mistaken.

31. The way in which the term “da’wa” was used by officials of the Israeli defense system and related researchers, including myself, was fundamentally different. The operative use by use of the term “da’wa” was simply as a shorthand term used by me in documents I wrote and presentations I made to refer to the vast number of civil organizations and entities in the Palestinian Territories. Many of these were identified with Islamic ideals, but they were decentralized and generally operated independently. Their purpose was to provide financial aid, support, education and social services to the entire Palestinian people, regardless of political and/or religious affiliation. The term

“da’wa”, as we used it, did not refer to a Hamas recruitment or terror apparatus, and was completely unrelated to terrorism.

32. I am unaware of any Palestinian or Arabic body using the term "da'wa" to describe an infrastructure of civil institutions controlled by Hamas or anyone else. The research we conducted in the Palestinian arena did not reveal anyone who referred to “da’wa” as an infrastructure of civil institutions controlled by Hamas.

33. Indeed, Hamas itself does not use the term “da’wa” to describe the civil institutions we described by this name. The Hamas charter speaks of “da’wa” and “tawi’ya” both referring to political awareness, but does not use “da’wa” to describe of any kind of civil branch, organization, system or apparatus of institutions. Mr. Spitzen's claim that Hamas itself speaks of a "da'wa" framework" to which the Hamas attributes great importance (Spitzen Report at p. 33) is wrong, since the Hamas charter does not speak of "da'wa" in such a sense.

34. By misinterpreting or misrepresenting the language of such documents as the Hamas charter, or quotes attributed to Hamas leader Sheik Yassin,² Mr. Spitzen, as well as Mr. Levitt, incorrectly conclude that there is a recognized, identifiable "Civilian Infrastructure Apparatus of Hamas known as Da'Wa." (Spitzen Report at p. 26) In other words, according to Messrs. Spitzen and Levitt, just as Hamas refers to its military wing as Izz Aldim Al Qassan, so it has this civil wing it calls "Da'wa". This is not so. Such a military wing exists, such a civil wing does not.

² Mr. Spitzen cites a 2001 Washington Post article for which Sheik Yassin apparently gave an interview and discussed the "da'wa infrastructure" of Hamas. (Spitzen Report at pp. 25-26) I reviewed the article and did not find a reference to the term “da’wa”. Sheik Yassin referred to Islamic groups.

B. Hamas Does Not Operate or Control a Civil Wing of Palestinian Civil Institutions.

35. Similarly incorrect is the conclusion that such a civil apparatus was established by Hamas as early as 1987, and was placed under the command of activists who also operated a terrorist group. This conclusion of Mr. Spitzen and Mr. Levitt does not comport with the facts. For example, Mr. Spitzen contends that “seven of Hamas' founders were members of the da'wa apparatus (the civilian infrastructure of the Muslim brotherhood and later of Hamas) . . .” (Spitzen Report at p. 19) I am aware of no evidence supporting such a contention, and to my knowledge and experience, it is hard to imagine that leaders of Hamas' clandestine jihad activities would also be actively involved running medical clinics, schools, social programs, summer camps, etc.

36. The da'wa apparatus to which Mr. Spitzen refers is the “da’wa” term invoked in the name "Majad", as discussed above, and not the founding of civil wing of Hamas.

37. By the early 1980's, before Hamas was even established, there were a large number of Palestinian civil institutions, which emerged for various reasons – religious, traditional and social. For the most part, these institutions had no affiliation with any movement. In other words, even before Hamas was established as a movement, there were already in the Palestinian communities numerous charities, schools, hospitals and other social and civil organizations.

38. Islamic and none-Islamic institutions acted as local institutions in the different communities, at the community level – neighborhood, quarter, village, etc.

39. The opinions expressed in the reports of Mr. Levitt and Mr. Spitzen, to the effect that Hamas controls the Palestinian civilian entities as a single “system” or

“apparatus”, are inconsistent with the views of the Israel defense authorities, as I was aware of them. According to reports of the IDF with which I was familiar, most civil institutions operated independently and not by the affiliation with Hamas or any other movement.

40. Based on my own review of thousands of documents seized from Palestinian civil institutions and my own interviews with hundreds of individuals involved with Palestinian institutions, as well as the research and conclusions of the intelligence organizations in Israel, there was no clear and formal hierarchic alignment of civil institutions controlled by Hamas and called “da’wa”, and certainly no infrastructure of civil institutions designated by Hamas for terrorist activities.

41. To the extent there were varying levels of affiliation, or lack of any affiliation, between the various civil institutions with Hamas, those levels can be generally described as follows:

- Islamic - there were institutions, including religious Islamic institutions, that were not affiliated at all with Hamas.
- Followers or supporters or “identified” – there were institutions that were sympathetic to, or generally supportive of Hamas as a central political movement as an alternative power for the Palestinian Authority (which also described the feelings of a significant percentage of the Palestinian public).
- Involved Activists – there were some institutions that had active ties to Hamas, including a handful of societies that were founded by Hamas.

42. It should also be noted that people involved in civil associations whom the ISA concluded were “identified with the movement,” for example, did not mean they were activists involved in terrorist activities, nor were they considered a security threat, but might simply have meant that they could be expected to vote for Hamas during elections.

43. Distinguishing between and among different Palestinian civilian institutions in order to classify them into different categories, and in particular trying to determine their level affiliation to Hamas, and especially to Hamas' terror organization, was not an easy task and sometimes impossible. Nor was the task of linking any institution to terrorism included in the purview of the Civil Administration (which, in any event, did not possess the information or intelligence sources sufficient to make such determination).

44. Out of the many hundreds of Palestinian civil institutions, approximately 200 were the focus of the research of the Civil Administration. Of these, a minority were identified by the ISA as potential security threats and shut down.

45. From all my experience and research, I have concluded that there is not one civil arm of Hamas directing an infrastructure of civil institutions in the Palestinian Territories, which is what Mr. Levitt and Mr. Spitzzen refer to as “da’wa”. Rather, there are hundreds of legitimate civil institutions that have no hierarchy and are not under a central control of the Hamas movement or part of its terror infrastructure.

C. Palestinian Civil Entities Were Not a Hamas “Terror Support Apparatus”, a “Cover for Hamas Terror” or a “Reservoir of New Recruits for Carrying Out Terrorist Attacks Against Israel.”

46. The IDF never considered Palestinian civil institutions to be a Hamas support network for terrorism, a “cover” for Hamas terrorism, a source of Hamas terrorist recruitment, or any of the similar labels assigned to the “da’wa” by Mr. Levitt and Mr. Spitzzen. If it did, all of these civil institutions would have been perceived as a threat to Israeli security, and the IDF would have shut down all of them instead of a relative few individual entities. Similarly, there was never a single network of institutions called “da’wa” identified and designed by the IDF as an illegitimate entity.

47. Rather, it was acknowledged and accepted within the IDF, and Civil Administration, that Palestinian charities, schools, hospitals, and other social and civil organizations, provide important and legitimate financial and social services to the Palestinian people. In the studies dealing with the subject with which I became familiar, the legitimacy of these services was emphasized. Nor did any of these studies point to the recruitment of young people for terrorism by Palestinian civil institutions.

48. The research of the Civil Administration into individual Palestinian civil institutions was efficient in collecting open source information. However, the difficulty was the issue of “incrimination” – meaning, the ability to determine beyond any doubt (the minimum threshold for incrimination) based on hard evidence, that a certain individual or organization is involved with Hamas' terror activities.

49. There was no unanimity among the researchers regarding the link between the different civil Islamic institutions and the Hamas movement. Mr. Spitzen, too, acknowledges this at the outset of his opinion (Spitzen Report at p. 7), but then proceeds to offer decisive determinations. As for a link between certain civil institutions and the Hamas terror organization, the reality was even more complicated, and only the ISA was deemed qualified, and the strength of its resources, training and intelligence sources, to make such determinations.

50. From all of my own experience and research, I never saw any evidence that Hamas was controlling or operating an infrastructure of civil institutions in the Palestinian Territories as support or cover for their terrorist activities, or as a pool of recruits who would become terrorists. To the contrary, the very fact that we in the Civil Administration (as opposed to IDF elite commandos) were conducting the campaigns

searching the premises of civil institutions, including mosques and offices of charities, demonstrates that these civil institutions were not considered by the IDF to be connected to terrorism. Moreover, the fact is that a relatively small number of individuals have been arrested out of the hundreds of thousands of Palestinians who received assistance from civil institutions and the hundreds of people who ran them.

D. Responses to Specific Conclusions of Mr. Spitzen.

51. My initial reaction upon reviewing the report of Mr. Spitzen, with whom I worked for a long time while at the Civil Administration and with whose responsibilities I was well acquainted, was surprise that Mr. Spitzen was offering analyses and conclusions that are not based on any work that we conducted at the Civil Administration. We studied Palestinian civil institutions, but were neither authorized nor equipped to analyze the information we collected in order to make any determinations that any entity was controlled by Hamas for a terrorist agenda or posed a threat to Israeli security. Again, that was the responsibility of the ISA, to whom we gave our information.

52. Moreover, the conclusions of Mr. Spitzen presented in his expert report are inconsistent with statements he made, of which I am personally aware, during his tenure in the Palestinian Affairs Advisory. At that time, Mr. Spitzen acknowledged the lack of a unified infrastructure of Palestinian civil institutions, as well as the lack of affiliation of many of these institutions with Hamas. He also acknowledged the limitations of open source information and the need for intelligence sources to establish links between any civil entity and terrorism.

53. Mr. Spitzen describes in his expert report an 18 criteria test he apparently uses for evaluating the level of control by Hamas over specific entities. (Spitzen Report at pp. 5-6) I am not familiar with such a test ever being applied by the ISA, the Civil Administration, or any Israeli authority.

54. Mr. Spitzen's concludes, at p. 262 of his Report, that "[i]n my professional assessment, transfers of substantial sums of money to the families of suicide bombers thus strengthened the support for continuing the suicide attacks." To the best of my knowledge, Mr. Spitzen conducted no research on the phenomenon of suicide attacks that would allow him to offer any opinions on what motivates a suicide bomber to act or what impact, if any, there would be from payments made to families of suicide bombers.

55. To my knowledge, and based on my personal experience with Mr. Spitzen, he did not conduct research himself of Palestinian civil institutions. Mr. Spitzen had the authority to ask the field officers to focus on a certain institution and prioritize it over another, based on the request of the ISA or military intelligence, but he was not involved in the information analysis. His involvement, despite his seniority, was administrative and logistic and not research.

E. Arab Bank

56. As previously mentioned, in the course of my work with the Civil Administration, in 2002-04 we were asked to conduct research concerning commercial institutions and business people in the Palestinian Territories, to determine whether, from the perspective of the interests of the State of Israel, they were "positive", "neutral" or "negative". In the course of this project, we mapped banks and leading figures in the financial field operating in the Palestinian Territories. As part of this project, I personally

mapped, among others, Arab Bank's manager in the region, Mr. Mazen Abu Hamdan. From my research, we concluded that Arab Bank's manager, Mr. Mazen Abu Hamdan, was “positive” from the perspective of Israel. Based on this conclusion, Israel decided to take positive measures toward Arab Bank's senior staff such as granting them VIP cards which allowed them the freedom of movement in and out of the Palestinian Territories.

IV. Conclusions

57. “Da’wa” is a term I used from the beginning of the 1990’s (and was gradually adopted by elements in the IDF) when making presentations to my colleagues in the Civil Administration, or to the ISA or other branches of Israeli intelligence, as a shorthand to describe collectively the many charities, schools, hospitals and other social and civil organizations operating in the West Bank and Gaza Strip. My use of the shorthand “da’wa” was never intended to communicate the notion (which I, in fact, expressly disclaimed) that there was a single, identifiable civil structure in the Palestinian Territories to be controlled by any one person or group of persons.

58. From my experience, as someone who researched Palestinian civil institutions, who collected and reviewed documents relating to these institutions, and who interviewed thousands of people, including individuals running and working for these institutions, there is no single hierarchical infrastructure of civil institutions operating in the Palestinian Territories under the control of Hamas, or for the purpose of recruiting terrorists or otherwise involved in the terrorist activities of Hamas. There are a large number of institutions, operating in a decentralized way at the community level, to provide legitimate and necessary humanitarian and social services to the Palestinian people.

59. There have been a relative few institutions that apparently were operated on behalf of Hamas, although intelligence information and analysis was required to differentiate those from the vast majority of legitimate institutions. It was the ISA, and not the Civil Administration that performed that analysis and made that determination.

60. While there were also individuals involved with charitable organizations or other Palestinian civil institutions who appeared to be sympathetic to Hamas, or may even have had connections to Hamas, such individuals were not generally viewed as a threat to Israeli security. I do not recall seeing any evidence of these individuals, or any Palestinian civil institutions, being actively involved in terrorism or the recruitment of terrorists. To the extent any particular civil entity was involved with terrorism or otherwise posed a threat to Israeli security, that was a determination, again, made by the ISA, not the Civil Administration, and to my understanding was made only after lengthy review of information from all available intelligence sources.

61. The conclusions of Mr. Levitt and Mr. Spitzen that there was a “da’wa system” operated in the Palestinian Territories by Hamas for the purpose of recruiting terrorists and supporting terrorism, are not true in my experience or to my knowledge. The conclusions of Mr. Spitzen, in particular, are based on analyses that we, in the Civil Administration, were not tasked to perform, and are inconsistent with statements made by Mr. Spitzen when I worked with him at the Civil Administration.

62. With respect to Arab Bank, in 2002-04, as part of our research of the Palestinian business sector and its leaders, we mapped, among others, Arab Bank's senior manager in the Palestinian Territories, Mr. Mazen Abu Hamdan, and concluded that Mr. Hamdan was a positive person from Israel's perspective.

Signed before me on April 5, 2011:

Kiyon Bilal, Adv.

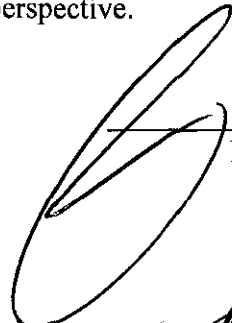
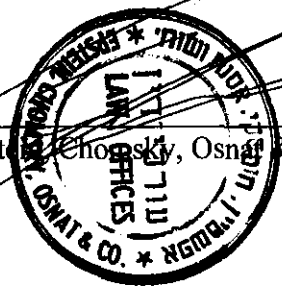

Barouch Yadd

Epst Chomsky, Osnat & Co.

EXHIBIT A

CURRICULA VITAE

Barouch Yadid

Name and Rank:

Lieutenant Colonel Barouch Yadid

Family Status:

Married + 3

Address:

Almon, East Beyamin, 90620

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1982 – 2007 I joined the Israel Defenses Force (“IDF”) and served in the IDF for 23 years, ending my service at the rank of Lieutenant Colonel.

1982 – 1987 I served as a combat soldier and officer in the Golani Brigade, which is one of the IDF’s leading infantry brigades.

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1989 – 1993 I joined the Civil Administration and was stationed in Hebron as an Adviser on Arab Affairs. I dealt with Palestinian centers of power in Hebron and with the political and social developments in the Palestinian population there.

- 1993 - 1995 Academic studies in the Bar Ilan University, and I completed my B.A. in Middle Eastern studies and history.
- 1995 - 1998 I served in the Civil Administration as an Adviser on Arab Affairs and Information Officer in the Nablus district.
- 1998 - 2001 I graduated from the Command and Staff College with honors and I was certified as Head of the District Coordination and Liaison Headquarters with the Palestinians in Nablus.
- 2001- 2004 I was appointed Head of the Branch of the Adviser for Palestinian Affairs in Judea and Samaria.
- 2004 - 2005 I served for a year in a project in the Southern Command, dealing with the Disengagement Plan from Gaza Strip and its implications.
- 2005 - 2007 I was appointed Head of the Branch of Adviser or Palestinian Affairs in the headquarters of the Coordinator of Government Activities in the Territories.
- 2007 I retired from the IDF and turned to private businesses.

EXHIBIT B

COMPENSATION

My compensation for my work on this matter is at the rate of \$300 per hour, plus expenses.

EXHIBIT C

DCOUMENTS REVIEWED

None.

EXHIBIT D

Publications (Prior Ten Years)

<http://www.articles.co.il/article.php?id=67912>

EXHIBIT E

Other Expert Testimony (Prior Four Years)

None.